

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUKEN W. GORDON,

Plaintiff,

V.

N. GONZALEZ, *et al.*,

Defendants.

• • • • •

CIVIL NO. 1: CV 01-0331

(Judge Rambo)

ORDER

On October 7, 2004 Defendants filed their Pretrial Memorandum. (Doc. 118.) In their Pretrial Memorandum, Defendants seek to preclude certain evidence at trial. This should have been presented to the court by way of a motion *in limine*. However, in light of time remaining until trial, such a motion would be untimely. To prevent a mistrial by the admission of irrelevant evidence, **IT IS HEREBY ORDERED THAT** the following evidence is precluded:

- 1) Any evidence related to dismissed claims, including Plaintiff's allegation that he received negligent medical care.
- 2) Any statements made by individuals who are not defendants in this case.
- 3) Any references by Plaintiff that he has a residual compression fracture and a disc deterioration.¹

¹These are medical conclusions and require expert testimony. *See* this court's order dated October 13, 2004, granting Defendants motion in limine to exclude Plaintiff's expert Stanley Askin, M.D., Esquire.

4) References to out of court settlement offers, demand letters that Plaintiff has either received or sent.

5) Plaintiff is not permitted under Pennsylvania law to mention the sum of money that he is seeking.

s/Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge

Dated: October 13, 2004.